



**CITY OF COLUMBIA**  
**MANDATORY COVID-19 VACCINATION POLICY**  
**Effective: November 1, 2021**

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**PURPOSE:** The ongoing COVID-19 pandemic has created an infectious disease threat in our community. Despite the City’s efforts to reduce this threat, the virus that causes COVID-19 continues to threaten the health and safety of the City’s employees and the citizens we serve, and it continues to impact the City’s ability to provide important services to our community. Transmission rates of the virus and its evolving variants remain high in our area, which has further heightened a compelling interest in preventing the spread of the virus that causes COVID-19.

The U.S. Centers for Disease Control and Prevention (“CDC”) has identified vaccination as a “critical prevention measure” to help end the pandemic. This guidance is supported by clinical trials, scientific research, and extensive safety monitoring, which have demonstrated the safety and effectiveness of currently-available vaccines. The U.S. Food and Drug Administration (“FDA”) has now given full standard approval to the Pfizer vaccine, in addition to emergency use approval of the Moderna and the Janssen (a/k/a Johnson & Johnson) vaccines. These vaccines provide enhanced protection against infection and, in the event that a post-vaccination infection occurs, the vaccinations provide increased protection from more serious symptoms, including those leading to hospitalization and death.

In an effort to achieve and maintain a workplace that is free from this known health and safety hazard, the City of Columbia has adopted this Mandatory COVID-19 Vaccination Policy to protect our employees and reduce the risk of transmission of the virus to the citizens we serve. As of the date of this policy, at least 80% of the City’s employees have become fully vaccinated. To maintain continuity of the City’s important services to our community in a safe and healthy manner, the City’s workforce must maintain a fully vaccinated rate of at least 80%.

The requirements and provisions of this policy, and the consequences for non-compliance, are based on current guidance from the CDC and other health officials and comply with all applicable workplace laws. Because the health and science information is evolving, this policy may be modified in any way necessary to incorporate such changes and to ensure compliance with applicable guidance and legal requirements.

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**POLICY & DIRECTIVE:** It is the policy of the City of Columbia that all employees are fully vaccinated against the virus that causes COVID-19. Accordingly, as a condition of employment or continued employment (as applicable) with the City, all City employees must comply with this workplace safety policy by becoming:

**Partially Vaccinated:** on or by **November 15, 2021**; and

**Fully Vaccinated:** on or by **December 31, 2021**.<sup>1</sup>

The City provides reasonable accommodations to employees in accordance with applicable law. Employees seeking a deferral or exemption from this policy as an accommodation must submit a written request for exemption or deferral (where applicable) to the Human Resources Department by **November 15, 2021**. Exemption or deferral forms are available to all employees upon request.

Employees who fail to comply with the City's Mandatory COVID-19 Vaccination Policy are subject to the disciplinary consequences outlined in this policy. The circumstances of an employee's non-compliance (including, but not limited to, the individual circumstances of the employee's non-compliance, the overall vaccination rate of City employees and employees within the non-compliant employee's department, and the needs of the City and the non-compliant employee's department) shall be taken into account when making disciplinary decisions under this policy. Discipline for non-compliance with this policy is non-grievable.

### **DEFINITIONS:**

**"COVID-19 vaccine"** or **"vaccine"** or **"vaccination"** means, for the purposes of this policy, any vaccine approved by the FDA to prevent the virus that causes COVID-19. This includes vaccines with full standard FDA approval, and those with approval for emergency use.

A **"Fully Vaccinated"** individual is one who has: (1) for no less than two weeks, completed the entire recommended series of a Janssen, Moderna, or Pfizer vaccine (or such additional future vaccines as may receive FDA approval as required herein); **and** (2) provided proof of vaccination, such as a completely executed CDC vaccination card.

A **"Partially Vaccinated"** individual is one who has: (1) received one dose of a two-dose series of Moderna or Pfizer (or any similar multi-dose vaccine which might receive FDA approval in the future); **or** (2) completed the full recommended series of any FDA approved vaccine but has not yet completed the two-week immunity-building period following receipt of the most recent dose; **and** (3) provided proof of partial vaccination, such as a partially or completely executed CDC vaccination card.

NOTE: Falsification of vaccine records will subject an employee to discipline, up to and including immediate separation from employment.

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<sup>1</sup> Employees electing to receive a two-dose vaccination must receive their second vaccination on or by December 17, 2021, to become fully vaccinated by the December 31, 2021 deadline.

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### **ACCOMMODATIONS:**

In accordance with applicable laws, the City provides exemptions and/or deferrals to eligible employees to accommodate on the basis of current pregnancy, medical condition, or religion. However, applicable laws do not require that the City provide accommodations that would impose an undue hardship on the City, or which would pose a direct threat to the health and safety of others.

Employees seeking a deferral or exemption from the Mandatory COVID-19 Vaccination Policy as an accommodation must submit a written request for exemption or deferral (where applicable) to the Human Resources Department by **November 15, 2021**. Exemption or deferral forms are available to all employees upon request.

During the period in which an employee is granted an exemption or deferral as an accommodation, the employee may be required to submit to periodic testing for the virus that causes COVID-19 and/or adhere to strict safety protocols, such as: wearing facial coverings when inside City buildings, facilities, and vehicles; practicing social distancing; engaging in frequent handwashing; and complying with post-exposure testing and quarantine/isolation protocols.

Depending on the nature of an employee's request, an exemption or deferral may be granted on a temporary or permanent basis.

Information and documentation disclosed to the City as part of the accommodations process will be kept confidential and separate from employee personnel files.

Employees may request an accommodation without fear of retaliation. Any employee who believes they or another employee has been subjected to unlawful discrimination, harassment, or retaliation should immediately report their concerns in writing to their supervisor, Department Director, or the Director of Human Resources so that the City can investigate and address these issues when they arise.

### ***Extension of Deadlines:***

- Employees who are in a prolonged leave status (such as on continuous FMLA leave) may request a deferral of the vaccine requirement until their return to work if they will not be returning to work until after December 31, 2021. Such employees should request a deferral in writing to the Human Resources Department. All such employees must be fully vaccinated or must request and be granted an exemption or deferral as an accommodation before returning to work from a prolonged leave status.
- Where an employee's request for an exemption or deferral has been denied or where the employee's exemption or deferral has expired, the employee must meet the following deadlines to become fully vaccinated following the denial or expiration:
  - *Deadline to provide proof of partial vaccination status:* Within 7 days from date of notification to the employee of the denial or expiration.

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- *Deadline to provide proof that employee has received the entire recommended series of a COVID-19 vaccine* (e.g. 1 dose of Janssen or 2 doses of Moderna or Pfizer) to become fully vaccinated (see definition): Within 40 days from the date of notification to the employee of the denial or expiration.

**COMPLIANCE DEADLINES:** Employees who fail to comply with the deadlines set forth in this policy may be subject to the disciplinary consequences outlined in this policy. In the event an employee experiences a personal challenge impacting their ability to meet one or more of these deadlines, or if an employee is in need of an accommodation in meeting one or more of these deadlines or a requirement under this Mandatory COVID-19 Vaccination Policy, the employee should contact the Human Resources Department before the applicable deadline expires. Employees must meet the following deadlines:

- **November 15, 2021:** Deadline to provide proof of partial vaccination status or submit completed form seeking an exemption or deferral to accommodate the employee's current pregnancy, a medical condition, or a sincerely held religious belief.
  - **Proof of Partial Vaccination Status Due:** Employees must provide the City of Columbia with proof that they have been partially vaccinated (see definition). Employees shall provide such documentation to their supervisors.
  - **Accommodations Forms Due:** Forms requesting an exemption or deferral as an accommodation must be submitted to the Human Resources Department at 1401 Main Street, 4th Floor, Columbia, SC 29201 or via e-mail to Gardner.Johnson@columbiasc.gov. (This deadline was extended from October 26, 2021, to November 15, 2021.)
- **December 17, 2021:** Deadline to provide proof that employee has received the entire recommended series of a COVID-19 vaccine (e.g. 1 dose of Janssen or 2 doses of Moderna or Pfizer) to become fully vaccinated (see definition) by December 31, 2021. Employees shall provide such documentation to their supervisors.
  - Deadline to submit proof of vaccination showing the employee has received the entire recommended series of a COVID-19 vaccine to qualify for the \$500.00 vaccination incentive. Employees shall provide such documentation to their supervisors on or by December 17, 2021. (Employees who have timely submitted a request form and been granted an exemption or deferral as an accommodation are eligible for this incentive.) (This deadline was extended from November 1, 2021, to December 17, 2021).
- **December 31, 2021:** Deadline to be fully vaccinated (see definition).

**CONSEQUENCES OF NON-COMPLIANCE:** Employees who fail to comply with the provisions of the City's Mandatory COVID-19 Vaccination Policy will be subject to the following consequences, beginning January 1, 2022:

- Disciplinary action: Written Reprimand for insubordination, with the following consequences in place until the employee becomes fully vaccinated (see definition):
  - Required adherence to periodic testing protocol;
  - Required adherence to strict safety procedures and practices, such as: wearing facial coverings while inside City buildings, facilities, and vehicles, when interacting with others while on the job, practicing social distancing, engaging in frequent

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handwashing, and compliance with post-exposure testing and quarantine/isolation protocols;

- Ineligibility for optional training and related travel;
- Ineligibility for work-related travel, including travel for conferences, out-of-town meetings, etc.
- Ineligibility for take home car (except for on-call work assignments);
- Ineligibility for cost of living raises and merit raises (once the employee becomes fully vaccinated [see definition], any applicable raise shall only apply prospectively) \*Non-compliant employees who later bring themselves into compliance will not receive retroactive pay covering the period of non-compliance;
- Ineligibility for promotional opportunities to a higher pay grade;
- Ineligibility for lateral transfers to another department; and
- Ineligibility for any perks, bonuses, or other benefits granted to employees who are fully vaccinated or who have been granted accommodations.

**CONCLUSION:** The requirements of this policy are essential to the City's efforts to provide a workplace free of known hazards and to address the compelling need to prevent and protect our workplace and community from the spread of the virus that causes COVID-19.

Employees will be required to provide an acknowledgement of receipt of this policy.